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REMARKS

The official action indicates that the originally filed Information Disclosure Statement failed to include a legible copy of the non-patent literature document reference C1 authored by Bernard Besson. In response to the same, enclosed is a further copy of the Bernard Besson reference for substantive consideration by the Examiner.

The Applicant notes that claims 27-33 and 39-41 are withdrawn from further consideration as being directed to the nonelected species. Please note that the Applicant will request reinstatement of all of the withdrawn claims in the event that a generic claim is eventually allowed.

Claims 34-37 are then rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The rejected claims are accordingly amended, by the above claim amendments, and the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections.

Claims 34-37 are then rejected, under 35 U.S.C. § 102, as being anticipated in view of Seaberg Patent No. 4,471,669 (hereinafter Seaberg '669). The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

Seaberg '669 relates to a track drive system with dual mode steering. The drive system includes two planetary gear sets 42, 44 and two variable speed motors 30, 32. A first of these motors 30 drives the sun gears 46 of *both* planetary gear sets 42, 44 and the second motor 32 also drives the ring gears 48 of *both* planetary gear sets 42, 44. In addition, the two planetary gear sets 42, 44 are interconnected in a number of ways. In view of the above, it is respectfully submitted that the track drive system of Seaberg '669 is distinctly different from the presently claimed invention.

As presently claimed, the present invention includes two planetary gear sets. These planetary gear sets are *completely independent* of one another except that they each have a common shaft that is driven by a drive input shaft 6. The drive input shaft 6 drives each of the common shafts which, in turn, drives a respective ring gears 13, 14. In this manner, each independent planetary gear set is being driven by a single drive input. Further, each of the two

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planetary gear sets includes a planetary gear web or carrier 17, 18 and each of these planetary gear carriers 17, 18 is coupled to a separate drive output shaft 7 or 8 which are completely independent of one another. In view of the above, it is respectfully submitted that the presently claimed invention is distinctly different from the applied art of Seaberg '669.

Next, claims 22-25 are rejected, under 35 U.S.C. § 102, as being anticipated in view of Perkins et al. Patent No. 6,830,530 (hereinafter Perkins '530). The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

Perkins '530 relates to a torque biasing planetary differential and includes two planetary gear sets 218 and 318. Each planetary gear set includes a sun gear 232 or 332, planetary gear carriers 234 or 334 and share a common ring gear 235. The planetary gear carriers 234, 334 each engage and drive an output shaft 222, 322. In addition to these elements, Perkins '530 further includes a planetary differential 220 axially located between the two planetary gear sets 218, 318. This planetary differential 220 includes a sun gear 230 and planetary carriers 237, 239.

The planet carrier 234 of the first planetary gear set 218 is not only coupled to the drive output shaft 222, but it is also integral with the planetary carrier 237 of the planetary differential 220. This planetary carrier 237 engages the sun gear 230 which is integral with the drive output shaft 322. In this manner, the planetary gear set 218 drives both of the drive output shafts 222, 322 and the drive output shaft 322 is driven by both the planetary gear set 318 and the planetary gearset 218, via the planetary differential 220.

In distinct contrast, the pending claims of the application include the limitation that the first planetary gearset 2 and the third planetary gearset 3 only communicate via the first shaft 4 and the fourth shaft 5, which both engage the drive shaft 6.

Claims 38 and 42 are rejected, under 35 U.S.C. § 103, as being unpatentable 38 and 42 Seaberg '669 in view of Sawase Patent No. 5,370,588 (hereinafter Sawase '588). The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

The Applicant acknowledges that the additional reference of Sawase '588 may arguably relate to the features indicated by the Examiner in the official action. Nevertheless, the

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Applicant respectfully submits that the combination of the base reference of Seaberg '669 with this additional art of Sawase '588 still fails to in any way teach, suggest or disclose the above distinguishing features of the presently claimed invention. As such, all of the raised rejections should be withdrawn at this time in view of the above amendments and remarks.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, independent claims 22 and 38 of this application both now recite the features of "the second shaft (7) being solely driven by the first planetary gearset (2) and the fifth shaft (8) being solely driven by the second planetary gearset (3) without any gear or carrier of the first planetary gearset (2) being connected with and any gear or carrier of the second planetary gearset (3)." Similarly, independent claim 34 of this application now recites the features of "a first planetary gearset (2) being driven solely by a single drive input shaft (6)....and a second planetary gearset (3) being driven solely by the single drive input shaft (6)....and the first planetary gearset (2) and the third planetary gearset (3) communicating only via an engagement between the first shaft (4) and the fourth shaft (5)." Such features, at the very least, are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejections should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejections or applicability of the Seaberg '669, Perkins '530 and/or Sawase '588 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an

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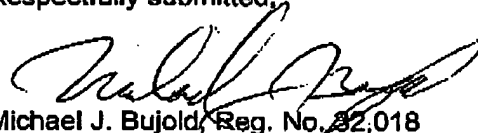
affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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